



RECORDS RETENTION SCHEDULE

OFFICE OF ALCOHOLIC BEVERAGE CONTROL

Schedule Date: December 14, 2006



Prepared by
STATE RECORDS BRANCH
Public Records Division
Kentucky Department for Libraries and Archives

RECORDS RETENTION SCHEDULE

Signature Page

Environmental and Public Protection Cabinet
Agency

December 14, 2006
Schedule Date

Office of Alcoholic Beverage Control
Unit

Change Date

December 14, 2006
Date Approved By Commission

APPROVALS

The undersigned approve of the following Records Retention Schedule or Change:

[Signature]
Agency Head

12.14.06
Date of Approval

[Signature]
Agency Records Officer

12/14/2006
Date of Approval

[Signature]
State Archivist and Records Administrator
Director, Public Records Division

December 14, 2006
Date of Approval

[Signature]
Chairman, State Archives and Records Commission

Dec. 14, 2006
Date of Approval

The undersigned Public Records Division staff have examined the record items and recommend the disposition as shown:

[Signature]
Records Analyst/Regional Administrator

12-14-06
Date of Approval

[Signature]
Appraisal Archivist

12/14/06
Date of Approval

[Signature]
State/Local Records Branch Manager

14 Dec 06
Date of Approval

The determination as set forth meets with my approval.

[Signature]
Auditor of Public Accounts

12-14-06
Date of Approval

STATE ARCHIVES AND RECORDS COMMISSION
Public Records Division
Kentucky Department for Libraries and Archives

Schedule Date: December 14, 2006

STATE AGENCY RECORDS
RETENTION SCHEDULE

Environmental and Public Protection
Public Protection
Alcoholic Beverage Control
Accounts and Personnel

Retention

Disposition Instruction

Series	Records Title and Description	Function and Use	Contents	Disposition Instruction		
01040	Alcoholic Beverage License Refunds	A refund (ABC Form 670) is issued when a licensee or prospective licensee has paid for some type of alcoholic beverage license(s) and has decided not to continue with the process due to: a denial of an application, the withdrawal of an application, or an overpayment. This document is used to create a refund from the agency account through the state treasury.	Mailing address, premises address & site #, amount of refund, CRV number of previous deposit, eMARS refund document #, notice of license fee refund: license type, license #, period of license fee, date payment was sent to Ky State Treasurer, check #, reason for refund. Also attached is a 1550 Daily Cash Detail Report showing: revenue type, date of refund from the Ky State Treasurer, eMARS document numbers, name and address of payee, amount refunded.	Agency: 3	Records Center: 5	Archives Center:
				Destroy after audit		
01041	License Fee Remittance List	The TELL (ABC specific) database creates an ITN (Internal Tracking Number) which lists licensees or DBAs that are paying for an alcoholic beverage license on that particular date. This listing is used to make a deposit (CRV) into an agency account via eMARS through the state treasury.	An ITN from the TELL database giving the following information: internal tracking number, license number, licensee, site ID, validation number, account number, amount. A CRV giving the following information: CRV eMARS number, validation number, licensee, license number, account number, amount. A CRV cover sheet which gives the total amount deposited under individual account numbers and the grand total of the deposit.	Agency: 3	Records Center: 5	Archives Center:
				Destroy after audit		

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Series	Records Title and Description	Function and Use	Contents	Disposition Instruction		
01042	Cash Cards for License Receipts - (Includes retail beer, distributors, transporters, brewers, retail drink package, private club, motel, wholesalers, rectifiers, distillers, special liquor licenses)	CLOSED SERIES - This information is the same as in #01041, License Fee Remittance List.		Agency: 3	Records Center: 5	Archives Center:
Destroy after audit						

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Series	Records Title and Description	Function and Use	Contents	Retention		
				Disposition Instruction		
01043	Card File on Distributors and Brewers	CLOSED SERIES - There is no card file at the agency.		Agency: P	Records Center:	Archives Center:
				Retain in agency		
01044	License Application and Hearing Information - Distributors and Brewers	CLOSED SERIES - This information is now being kept in the License Application File (#01052).		Agency: P	Records Center:	Archives Center:
				Retain in agency		
01046	License Applications and Hearing Information - Retail Beer	CLOSED SERIES - This information is now being kept in the License Application File (#01052).		Agency: I	Records Center:	Archives Center:
				Transfer to the State Records Center two years after termination of business, or license is revoked		
01047	Malt Beverage Applications	CLOSED SERIES - These are now kept in the License Application File (#01052).		Agency: I	Records Center:	Archives Center:
				Transfer to appropriate license application and hearing information file, if approved. File with the Malt Beverage Application Refund (01048), if not approved		
01048	Malt Beverage Application Refund	CLOSED SERIES - These are now kept in the License Application File (#01052).		Agency: 5	Records Center:	Archives Center:
				Destroy after audit		
01049	Out-of-State Brewers	CLOSED SERIES - This information is now being kept in the License Application File (#01052). Record to include limited out-of-state brewers per 804 KAR 4.350.		Agency: 1	Records Center:	Archives Center:
				Destroy		

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Series	Records Title and Description	Function and Use	Contents	Disposition Instruction		
01050	License Applications - (Beer transporters, beer storage, temporary beer license)	CLOSED SERIES - The Beer Transporters and Beer Storage License Applications are now kept in the License Application File (#01052). The Temporary Beer License is now being kept in the Special Temporary License File (#01059).		Agency: 1	Records Center:	Archives Center:
				Destroy		
01052	License Application File - (Retailers, package stores, wholesalers, distillers, vintners, rectifiers, solicitors, transporters, bonded warehouse) (V)	This series documents the licensing requirements to manufacture, store, sell, purchase, transport or traffic in alcoholic beverages, as required in KRS 243.020 and KRS 243.040. The series includes the licensing of retailers, package stores, wholesalers, distillers, vintners, rectifiers, bonded warehouses, solicitors and transporters. The file is inclusive of all activity associated with the revocation of a license, investigation of all activity associated with the revocation of a license, investigation of violations, non-renewal of licenses, voluntary surrender of licenses, and any other action which might impact the status of a license. All licenses must be renewed annually. If a license is revoked, the licensee has 30 days in which to appeal the decision of the Board. KRS 243.030 and KRS 243.040 establish the fee for the different license types.	Series may contain: the initial application; annual renewal information; affidavits; instructions for using license; copies of lease agreements if the property is not owned; citations; hearing information; hearing dispositions; diagram of location; list of corporate officers; changes in officers; bonds; copies of official orders; depositions	Agency: 1	Records Center: 2	Archives Center:
				Transfer to State Records Center.		
01053	Distilled Spirits Quota Card File - (Inclusive of all license files except the Special Temporary License File (01059))	The Distilled Spirits Quota Card File is used to record information pertaining to 804 KAR 9.010 and 804 KAR 9.020. Licenses for retail drink, package stores and wholesalers are issued for a given geographical area, such as a city or town. The quotas are determined by the population of the area. Also, these licenses have a monetary value and can be sold when the business is sold; however, the new owner must meet all the licensing requirements before alcohol can be sold or trafficked in. The information is consulted before approving additional licenses for a city or town.	Series contains: license number; name and address of licensee; name of premises; initial issue date and subsequent renewal dates; total number of licenses which may be issued and the number which have been issued	Agency: 1	Records Center:	Archives Center:
				Destroy when the respective license application file is destroyed		
01059	Special Temporary License File - (For licenses issued for a specified and limited time)	This series documents the requirements for the issuance of distilled spirits and wine special temporary licenses, as required in KRS 243.260, KRS 243.290, and KRS 243.032. Such licenses may be issued to any regularly organized fair, exposition, racing association or other party, such as organized picnics, bazaars, or carnivals as well as charitable and non-profit organizations. The license authorizes the licensee to exercise the privileges of a distilled spirits and wine retail drink and beer licensee at designated premises for a specified and limited time. All restrictions and prohibitions applying to a distilled spirits and wine retail drink and beer licensee also apply to the holder of a special temporary license. Application is made to both the city administrator in the respective city and the Office of Alcoholic Beverage Control. The approval of the city administrator and the ABC is required. A new license must be obtained prior to each event. Series may be used in the conduct of an audit, due to the collection of fees.	Series contains: application and approval for the temporary license	Agency: 1	Records Center: 2	Archives Center:

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Series	Records Title and Description	Function and Use	Contents	Disposition Instruction		
01039	ABC Board Case Appeals	This series contains ABC Board decisions and final orders that have been appealed to a higher court, such as Circuit Court, Court of Appeals, or the Kentucky Supreme Court.	This file contains the complete court file: briefs, answers, final orders, appeals, transcripts, and original ABC case report.	Agency: P	Records Center:	Archives Center:
				Transfer to Transcripts of Legal Cases (01037), upon completion of		

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Series	Records Title and Description	Function and Use	Contents	Disposition Instruction		
01031	Order Books - (Shows disposition of cases heard by the Alcoholic Beverage Control Board)	Order Books permanently memorialize the ABC Board opinions on cases concerning alcohol and tobacco violations.	show cause orders, final orders, amended final orders, orders of destruction of contraband, reschedule orders	Agency: P	Records Center:	Archives Center:
				Retain in agency		
01032	Alcoholic Beverage Control Scrapbook	CLOSED RECORD - No information for this series.		Agency: P	Records Center:	Archives Center:
				Retain in agency		
01033	Alcoholic Beverage Control Regulations	This series documents the promulgation of administrative regulations. Regulations are compiled in a law book that also contains statutes. New law books are published every 2-4 years as needed.	copies of draft regulations, notes, correspondence, letters of support or opposition	Agency: P	Records Center:	Archives Center:
				Retain in agency		
01034	City and County Alcoholic Beverage Control Administrators' Rules, Ordinances and Appointments	Changes in KRS 241.140, 241.190, and 241.250 were revised in 1998. No longer does the ABC Board require prior approval or submittal of rules and appointments. ABC does continue to require the appointments of county, city, and urban administrators. They are kept on file until there is a change in administrator when the list is updated.		Agency: P	Records Center:	Archives Center:
				Retain in agency		
01035	ABC Board Case File	This series is the case file to be used by the ABC Board during hearings against an alcoholic beverage licensee or someone accused of violating alcoholic beverage laws, appeals of license denials and appeals of local administrator's orders.	a copy of the case report, a copy of the show cause order, a copy of the subpoena, a copy of orders to reschedule the hearing date, original opposing attorneys' correspondence, settlement agreement, Final Board order, requests for an appeal hearing	Agency: P	Records Center:	Archives Center:
				Transfer to License Application File (#01052) upon final Board Order and expiration of appeal date.		
01036	Regulation Hearings Transactions	CLOSED SERIES - This information is now kept in the Alcoholic Beverage Control Regulations File		Agency: P	Records Center:	Archives Center:
				Retain in agency		

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Disposition Instruction

Series	Records Title and Description	Function and Use	Contents	Disposition Instruction		
01037	Transcripts of Legal Cases - (Circuit Court or Court of Appeals Cases)	This series documents the official copy of proceedings for each legal case presented in the jurisdiction of the Circuit Court, or the Court of Appeals.	Series may contain: written transcripts of legal cases; other legal documents of court cases presented	Agency: 5	Records Center:	Archives Center: P
				Transfer to the State Archives Center		

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Series	Records Title and Description	Function and Use	Contents	Disposition Instruction		
05526	Server Training in Alcohol Regulations Training Class File (V)	The Server Training in Alcohol Regulations (S.T.A.R.) was designed to assist the servers and sellers of alcoholic beverages to obey the statutes and regulations pertaining to alcoholic beverages and to be responsible servers. The classes, which are available to anyone, are held across Kentucky. The class date, list of attendees and payment for the class is compiled and kept in an Access database. A test is administered at the end of the class and, upon receiving a passing grade, a 3 year certification is issued to the attendee. A recertification program allows the server/seller to obtain an extension of their certification for an additional 3 years. In addition, KRS 243.480 (2) allows the ABC Board to order training in lieu of suspension due to violations of Chapters 241 - 244 of the Kentucky Revised Statutes.	S.T.A.R. class date and time, location of the class, original sign-in sheet, each individual's test, and registration forms.	Agency: 4	Records Center: 3	Archives Center:
				Transfer to State Records Center after 4 years.		

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Series	Records Title and Description	Function and Use	Contents	Disposition Instruction		
01063	Case Reports	These are investigative reports that include a detailed explanation of the circumstances that caused a law or regulation to be violated. Examples of investigations that would require a case report would be those with multiple witness statements, exhibits, large quantities or evidence, all felonies, all Operation Zero Tolerance cases and any investigation presented to the ABC Board.	case number, complaint number, name of person, name of business, ABC license number, mailing address, exact location, county name, date and time of violation, date and time of investigation, person in charge of business, arrest information, offense, ABC investigator name and badge number, date of report, review sign off	Agency: 15 Destroy	Records Center:	Archives Center:
01064	Agents' Daily Report	A daily activity report is completed, signed, and submitted to the Frankfort office as official documentation of the work performed on that specific day.	Time to and from, number of hours and miles to each vicinity and destination worked, information regarding the findings of the visit, documentation of activity, investigator signature, date	Agency: 2 Destroy	Records Center:	Archives Center:
01065	Field Reports	This is an on-site interview of an alcoholic beverage licensing applicant. Background and personal information is gathered. The correct address is verified. A detailed drawing (interior/exterior) of the building is also included.	applicant/DBA address, person interviewed, title, DOB, SSN, Operator's License #, information about the applicant and the type of establishment to be licensed, investigator signature and badge #, date	Agency: 1 Upon completion, move to Licensee Application File (#01052).	Records Center:	Archives Center:
01066	Uniform Citations - (Duplicate)	The uniform citation is issued for a violation of the traffic laws and for all felonies, misdemeanors, and violations.	agency; name, address, ID type and number, social security number, date of birth, sex, race, place of employment/occupation of person being cited; vehicle information; date, time, and location of the violation; charge information; post-arrest complaint; name of witness(Investigator); officer signature, badge/ID number; control number	Agency: 1 Destroy	Records Center:	Archives Center:

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Series	Records Title and Description	Function and Use	Contents	Disposition Instruction		
01067	Bootleggers Card File	CLOSED SERIES - This information is being kept in the Uniform Citations (#01066). It is no longer a card file, but rather a paper uniform citation.		Agency: P	Records Center:	Archives Center:
				Retain in field office		
01068	Alcohol Complaint Form	The agency receives complaints from the public about establishments in violation of Chapters 241-244 of the Kentucky Revised Statutes and title 804 of the Kentucky Administrative Regulations relating to the manufacture, sale, transportation, storage, advertising and trafficking of alcoholic beverages. This form, ABC Form 716, is used to initiate an investigation into the allegation, track the progress and the final outcome. If no wrongdoing is found, the complaint is closed. If a citation is issued, a fine or board hearing results.	Is the premise licensed or not licensed or in dry territory? Time, date and method the complaint was received and who received it. The complainants address and phone number. Information on the suspected violator. Name, DBA, License number(s), address, county, # of complaints. Which investigator was assigned and date assigned. Best time to work. Preliminary date investigative is due. Results of the preliminary investigation. Upgraded to a case (yes or no), date and case number. Signatures of investigator, supervisor, comments and dates.	Agency: I	Records Center:	Archives Center:
				Destroy 2 years after resolution of investigation/case.		

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Series	Records Title and Description	Function and Use	Contents	Disposition Instruction
05527	Tobacco Complaints (V)	The agency receives complaints from the public about establishments violating KRS 438.300 - 350, which relates to the use, display, sale, or distribution of tobacco products. This record, ABC Form 716, is used to initiate an investigation into the allegation, track the progress and the final outcome. If no wrongdoing is found, the complaint is closed. If a citation is issued, a fine or board hearing results. Any possible penalty is dependent on the violation.	Date and time complaint was received, who received it, how it was received, and the nature of the complaint. Name, address, and phone number of the complainant. Name and address of suspected violator and the county where their establishment is located. The investigator assigned to the complaint, the date assigned, and the date the report is due back to the agency. Best time to investigate. Results of the preliminary investigation. Whether the findings result in a case being initiated and, if so, the date and the case number. Investigators signature and their badge number. Supervisor's comments, signature, and date. Date investigation is closed.	Agency: Indefinite Records Center: Archives Center: Destroy 2 years after resolution of investigation/case.
05528	Order for Destruction of Tobacco Evidence (V)	When an individual has pled guilty or been found guilty by the ABC Board of violating a section of KRS 438.300 - 350 and the associated fine has been paid or waived, an Order by the ABC Board is issued ordering the destruction of the tobacco evidence. This documents the destruction of the tobacco held upon the conclusion of the case.	Date of the Order, dates of the activities, names and signatures of the members of the ABC Board who attested to the Order. Also, a list of Investigators names, date of the infraction, evidence number, name of the individual, date the fine was paid, and destruction date.	Agency: Indefinite Records Center: Archives Center: Destroy 2 years after destruction of evidence.

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Series	Records Title and Description	Function and Use	Contents	Disposition Instruction		
05529	Tobacco Compliance Checks (V)	This series records the information obtained by an Officer while conducting attempts to purchase tobacco products by minors and is used for preparing reports documenting the percentage of sales to minors. These checks are done monthly. The Officer and Supervisor randomly decide which outlet to check.	This form, TOB 04/27/06, includes the following information: city, city number, county, county number, name and address of the tobacco outlet, type of the tobacco outlet, date and time of visit, location of tobacco in the outlet, whether the seller/clerk made a sale to a minor, type of tobacco requested, whether the minor was asked their age or for an ID, sex and approximate age of the clerk, sex and age of the minor, Investigative aide ID number, Investigator signature.	Agency: Indefinite	Records Center:	Archives Center:
				Destroy 2 years after completion of investigation/case.		
05530	Tobacco Violation Warnings (C) KRS 61.878 (1)(a) (V)	This series represents warnings issued to tobacco sellers who are juveniles or in cases of extenuating circumstances, when the issuance of a tobacco citation is inappropriate. An example of extenuating circumstance is if a new employee has not yet been trained on spotting underage buyers. A warning has no punishment attached. A citation has the punishment of a fine or a hearing before the ABC Board.	This form, Tobacco Warning Notice Form ABC 667B, includes the following: type of violation; violator name and address; violation statute or regulation; details of violation; name, date of birth, Operator's License number or Social Security number of person receiving notice; Investigator signature and unit number; date and time issued.	Agency: Indefinite	Records Center:	Archives Center:
				Destroy 2 years after completion of investigation/case.		

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Series	Records Title and Description	Function and Use	Contents	Disposition Instruction
05531	Tobacco Citations (C) KRS 61.878 (1)(a) (V)	This series is used to document violations of KRS 438.300 - 350, which prohibits the sale of tobacco products to any person under the age of 18 and other violations listed in the statute. A citation may result in a fine or a hearing before the board.	Tobacco Administrative Citation form includes the following: name, home phone number, alias, emergency phone number, address, date of birth, sex, race, height, weight, hair color, eye color, social security number, and operators license number of violator; name and mailing address of business; violation date and time; city; city code; county; county code; statute number; charge; plea; disposition; court hearing date; time and location; age and sex of purchaser; type of sale; type of outlet; description of violation; whether evidence was held and location held; witness name and address; Investigative Aide number and address; Investigator signature and unit number; control number; year.	Agency: Indefinite Records Center: Archives Center: Destroy 5 years after completion of investigation/case.